

**TOWN OF NORTH HEMPSTEAD**

**BOARD OF ZONING APPEALS**

**NEW CASES**

**OCTOBER 10, 2012**

**APPEAL #19376 - Ari & Maria Nieminen**, variance 70-202.1.C and 70-202.2.C to construct replacement retaining walls exceeding the permitted height and increase the paved area without additional stormwater control; S/side 26 Rugby Rd., 250.07' E/of Onderdonk Ave., Manhasset, Sec. 3, Blk. 65, Lot 135, R-B District.

**ADJOURNED TO OCTOBER 24, 2012**

**APPEAL #19377 - Yingyen Lee (Owner)/Emilio Susa (Applicant)**, variances of 70-202.1.C. 70-50C, 70-208F to maintain a vestibule within a front yard setback to a non-conforming structure and construct a retaining wall exceeding the permitted height; N/W cor. of 2 Hillview Ave. and Mullan Ave., Port Washington, Sec. 5, Blk. D, Lot 901, R-C District.

**RESERVED**

**APPEAL #19378 - Bryan Jay**, appeal for determination, or in the alternative, variance 70-231 to maintain living space in an attic within a two family residence; W/side 12 Monroe St., 100.8' S/of Webster Ave., Port Washington, Sec. 5, Blk. 42, Lot 110, R-C District.

**RESERVED**

**APPEAL #19379 - Alex Couture**, variance 70-100.2.A(2) to install fencing beyond the front building line; N/W/cor. 9 Old Hills Ln. and Ridge Dr., Port Washington, Sec. 6, Blk. 80, Lot 7, R-C District.

**ADJOURNED TO NOVEMBER 28, 2012**

**APPEAL #19380 - Jeffrey Giller**, variance of 70-100.2A to maintain a fence beyond the building line; S/E cor. of 80 Hayloft Ln. and Carriage Ln., Roslyn Heights, Sec. 7, Blk. 193, Lot 1, R-AA District.

**RESERVED**

**APPEAL #19381 - John Jordan**, variance of 70-51A to construct a one-story rear addition with insufficient aggregate side yards; S/side of 70 Hillvale Rd., 60.0' W of Hilltop Pl., Albertson, Sec. 7, Blk. 212, Lot 1, R-C District.

**GRANTED**

**APPEAL #19382 - John & Phyllis Thomas**, variances 70-50.A, 70-51.A and 70-101.B to maintain an attached shed with insufficient aggregate side yards and a roofed over front porch with insufficient front yard setback on a two family residence; S/side 108 Sixth St., 252.82' W/of Nassau Blvd., Garden City Park, Sec. 9, Blk. 246, Lot 1, R-C District.

**GRANTED**

**APPEAL #19383 - Elizabeth Peyer (Owner)/Emilio Susa (Applicant)**, variance of 70-101B to maintain a masonry front porch within a required front yard setback; W/side of 661 Foch Blvd. 104.65' N of Lafayette St., Williston Park, Sec. 9, Blk. 627, Lot 38, R-C District.

**GRANTED**

**APPEAL #19384 - Matthew G. Scott**, variance 70-41.A to construct a one story addition within a required side yard setback; E/side 343 Rushmore Ave., 192.60' S/of Asbury Ave., Carle Place, Sec. 10, Blk. 271, Lot 4, R-B District.

**GRANTED**

**APPEAL #19385 - Mario Dacosta (Owner)/James Thomas Martino (Applicant)**, variances 70-192 and 70-208 to maintain front steps within the required front yard setback and a rear addition to a non-conforming dwelling; W/side 15 Second Ave., 210' N/of Dennis St., Garden City Park, Sec. 33, Blk. 119, Lot 31, I-B District.

**GRANTED**

**APPEAL #19386 - Watermill Lane Realty, LLC (Owner)/Rothkrug, Rothkrug & Spector (Applicant)**, variances 70-202.1.C and 70-229.A to maintain a retaining wall exceeding the permitted height and off-street parking for an existing office/industrial building, not in compliance with previous Appeal #18252; E/side 55 Watermill Ln., 1068.35' S/of Great Neck Rd., Great Neck, Sec. 2, Blk. 42, Lot 305, B-A District.

**CONTINUED**

**APPEAL #19387 - Plandome View Properties (Owner)/John Schimenti, P.C. (Applicant)**, conditional use 70-126.A, and variances 70-103.A and 70-103.F to convert a retail space to a food use with insufficient number of off-street parking spaces and loading bays; N/W/cor. 407 Plandome Rd. and Bayview Ave., Manhasset, Sec. 3, Blk. 138-02, Lot 821, B-A District.

**ADJOURNED SINE DIE**

**APPEAL #19388 - DJJ Holdings, Inc. (Owner)/Hillside – Lakeville Service, Inc. (Applicant)**, variances 70-132, 70-196.K, and 70-196.K(4) to erect an accessory canopy structure on an existing service station with insufficient front yard setback & the erection of ground signs & canopy signs not in compliance with the code; S/W/cor. #720 Hillside Ave. & Lakeville Rd., New Hyde Park, Sec. 8, Blk. 10, Lot 171, B-A District.

**GRANTED**

**APPEAL #19389 - Lake Success Shopping Center, LLC (Owner)/Marvin Goldfarb/Periwinkle Boutique (Applicant)**, variance 70-196.J(1)(f) to install a wall sign exceeding the permitted height above ground level; S/side 1520 Union Tpke., 696' E/of Claudy Ln., New Hyde Park, Sec. 8, Blk. 235, Lots 56, 57A, B-AA District.

**GRANTED**

**APPEAL #19390.A - Nicolia's, LLC (Owner)/ELRAC (Applicant)**, conditional use 70-126.D for the storage of rental automobile, and appeal for determination or in the alternative variances 70-103.A, 70-103.F, and 70-132.B for insufficient off-street parking, loading, and front yard setback for the relocation of a car rental enterprise on the same property; N/W/cor. 775 Old Country Rd. and Dayton St., Westbury, Sec. 10, Blk. 51, Lots 11-15, 47-49, & 58-61, B-A & R-C District.

RESERVED

**APPEAL #19390.B - Nicolia's, LLC (Owner)/ELRAC (Applicant)**, variance 70-196.J.1.b to install new signage exceeding the permitted area; N/W/cor. 775 Old Country Rd. and Dayton St., Westbury, Sec. 10, Blk. 51, Lots 11-15, 47-49, & 58-61, B-A & R-C District.

RESERVED

**APPEAL #19391 - iPark Lake Success, LLC**, variances 70-103.B, 70-177.A, and 70-208.F to construct additional parking which will increase the degree of non-conformance on the site, with insufficient parking stall size and parking within the required front yard setback; S/E/cor. 1111 Marcus Ave., and Lakeville Rd., Lake Success, Sec. 8, Blk. B-18, Lot 300, I-A District.

CONTINUED

### **CONTINUED CASE**

**APPEAL #19361 - Jose Maldonado**, variances 70-195.15.A.1, 70-195.15.A.2, 70-195.15.B.1, 70-195.15.B.3, 70-195.15.B.3.a, 70-195.15.B.3.b, 70-195.15.B.4, 70-195.15.D, 70-100.2.A.2, and 70-100.2.A.4 to maintain a finished cellar not in compliance with Town Code, fencing extending beyond the building line, and fencing exceeding the permitted height; N/side 58 Fourth Ave., 10' W/of Sixth St., Westbury, Sec. 11, Blk. 112, Lot 513, R-C District/New Cassel Urban Renewal Overlay District. (9-5-12)

DENIED

**TOWN OF NORTH HEMPSTEAD**

**BOARD OF ZONING APPEALS**

**RESERVED CALENDAR DECISIONS**

**OCTOBER 10, 2012**

**APPEAL #19225 – Edward Pymm**, Appeal for Determination or, in the alternative, variance 70-208.F to permit additions & alterations to a non-conforming two-family dwelling; E/side 64 Locust St., 200' S/of Hillside Ave., Manhasset, Sec. 3, Blk. 48, Lot 106, I-B District. (01-11-12) (2-15-12)  
**DENIED**

**APPEAL #19287 - RMB Drafting Services**, variance 70-195.15.B.3(b) to construct a two-piece bathroom in the basement of a dwelling with an interior stairwell located within five feet of a perimeter wall; E/side 232 Garden St., 150' S/of Park Ave., Westbury, Sec. 11, Blk. 3. Lot 31, R-C District. (5-23-12)  
**DENIED**

**APPEAL # 19348 - Stephen and Elizabeth Salbod**, variance 70-100.2.A to maintain fencing exceeding the permitted height; E/side 1044 North Sixth St., 520' N/of E. A. White Ave., New Hyde Park, Sec. 8, Blk. 9, Lot 179, R-C District. (9-19-12)  
**DENIED**

**APPEAL #19350- Roslyn Heights Family, LLC (Owner)/NSLIJ – S.T.A.R.S. (Applicant)**, variance 70-196.J(1)(f) to erect a wall sign exceeding the permitted height above grade,; N/E/cor. 66 Powerhouse Rd. and Coolidge St., Roslyn, Sec. 7, Blk. H, Lot 426, B-A District. (8-22-12)  
**GRANTED**

**APPEAL #19365 - Andrew Sherry**, variance 70-100.2.A, to maintain fencing exceeding the permitted height; W/side 10 Governors Ct., 145.13'S of Oxford Blvd., Great Neck, Sec. 2 Blk. 152, Lot 121, R-A District. (9-19-12)  
**DENIED**

**APPEAL #19367 - Alison & Tim Mummers (Owner)/Sanford Berger, R.A. (Applicant)**, request for determination or, in the alternative, variance 70-49C, to maintain a two-story rear addition and detached garage exceeding the permitted gross floor area; S/side 80 Bayview Ave., 910.64'W of Mackey Ave., Port Washington, Sec. 5, Blk. 115, Lots 115 & 116, R-C District. (9-19-12)  
**GRANTED**

**APPEAL #19369 - Olga Goncalves**, variances 70-100.2.A.(2) and 70-100.2.A.(4), to maintain a fence exceeding the permitted height beyond the building line; N/W/cor. 71 Lincoln Ave. and Kamda Blvd., New Hyde Park, Sec. 8, Blk. 324, Lot 16, R-C District. (9-19-12)  
**DENIED**

**APPEAL #19372.B - Macy's Retail Holdings, Inc. (Owner)/Sarfatty Associates, Ltd. (George Sarfatty) (Applicant)**, variance 70-196.J(2)(a) to install signage exceeding the number of permitted signs detached from a building; S/side 1100 Northern Blvd. 100' W of West Dr., Manhasset, Sec. 3, Blk. E, Lots 1050, 1051, B-AA District. (9-19-12)

**GRANTED**

**APPEAL #19373 - Apple Bank for Savings (Owner)/JRS Architects (Applicant)**, appeal for determination or, in the alternative, variance, 70-103.M, conditional use 70-126.H, and variances 70-103.B, 70-203.G, and 70-229.A to expand a commercial parking lot into a greater restricted district with insufficient stall size; reduced landscaped buffer; parking within a required front yard setback, and not in compliance with prior Appeal No. 14641; N/W/Cor. of 1395 Northern Blvd. and Onderdonk Avenue, Manhasset, Sec. 3 Blk. 83, Lots 21, 22, B-A and R-A Districts. (9-19-12)

**GRANTED AS AMENDED**